

SPECIAL MEETING OF THE  
OKLAHOMA WORKERS' COMPENSATION COMMISSION

Wednesday, April 12, 2023  
1:00 p.m.  
1<sup>st</sup> Floor Commission En Banc Courtroom  
1915 N. Stiles Ave.  
Oklahoma City, Oklahoma  
1<sup>st</sup> Floor  
[www.wcc.ok.gov](http://www.wcc.ok.gov)

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**AGENDA**

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**CALL TO ORDER.....Chairman Russell**

**ROLL CALL.....Chairman Russell**

**The Commissioners will observe and may participate in the Self-insurance Guaranty Fund Board discussion of the following agenda items, but no action will be taken by the Commission:**

1. Board roll call and determination of quorum.
2. Workers' Compensation Commission roll call and determination of quorum.
3. Introduction of guests.
4. Discussion and approval of the January 18, 2023, Board minutes.
5. Legislative update, discussion, and possible action.
6. WCC CFO Andrea Delling update, discussion and possible action as to general finances, including:
  - a. ACH Deposits
  - b. Account Values
  - c. 2023-2024 OMES Budget
  - d. How payments are going on 701 Accounts
  - e. Membership payments to SIGF of America
7. Discussion regarding the SIGFB's attendance of the Self-insured Guaranty Funds of America's 2023 National Meeting.
8. Introduction of Commission Permitting Division Director Sharon Smith and Carla Jacobs.

9. Third Party Administrator **Combined Report** as to Self-insurance Guaranty Fund Claims and Trust Cases:

**9a. Self-Insurance Guaranty Fund Report** of claims arising pursuant to statutory authority of the Self-Insurance Guaranty Fund Board for the private employers approved to participate in the self-insurance program designated by account number of 675 and residual account 705. Effective November 1, 2019, 85A O.S. § 98 requires the use of the **net fund balance** technique rather than the prior **cash fund balance** method to initiate an assessment of the Self-Insureds. There will be a general report of the Third Party Administrator including a financial summary, discussion and possible action by the Board.

**9b. Trust Cases Report** – These cases have been assigned to the Board by the Workers’ Compensation Commission for administration of employer funds held by the Commission in individual employer trust accounts designated by account number 701. There will be a general report of the Third Party Administrator including a financial summary, discussion and possible action by the Board.

**9c. Trust Cases Report** – Discussion and possible action under, 85A O.S. §99, providing for the **transfer of “excess proceeds”** of 701 account balances to the Self-Insured Guaranty Fund account 675/705. Mr. Fisher will report on the claims analysis of older 701 accounts. Mr. Fisher will report his findings and make recommendations to transfer certain funds to the **Self-Insurance Guaranty Fund**. Based on this determination, the Oklahoma Self-Insurance Guaranty Fund will be making application for statutory transfer of these excess proceeds from the Oklahoma Workers’ Compensation Commission to the Oklahoma Self-Insurance Guaranty Fund pursuant to 85A O.S. § 99(B).

Interested parties may address the Board and/or present information in writing as to whether the excess proceeds should or should not be transferred to the Self-insurance Guaranty Fund.

10. Possible adjournment of the Workers Compensation Commission.

11. Proposed Executive Session pursuant to 25 O.S. § 307(B)(4) to discuss and vote on the following:

- a. Individual **Trust Cases** which have been assigned to the Board by the Workers’ Compensation Commission for administration of employer funds held by the Commission in individual employer trust accounts designated by account number 701:

**General Motors, claims by employees:**

Billy Thomas  
Judy Smith  
Lupy Goodlin  
Jo Ann Waltrip  
Opal Cade

**Texoma Peanut, claims by employees:**

Lloyd Ormand

**Food Industry Group #75199, claims by employees:**

Verna Fisher vs Pruett Foods

**Penloyd LLC # 19456, claims by employees:**

Terry Stalnecker

**Southwestern Bell, claims by employees:**

Konstance Mitchell CC# 1985-2464A

**BFN Operations, claims by employees:**

Maria Garcia

**Tri-B Nursery, claims by employees:**

Ignacio Belmonte

- b. Claims against the **Self-insurance Guaranty Fund** designated by account number 675 and residual account 705:

**Employee**

Joe Ortiz  
Lonnie Swarer  
Raymond Vier  
Harlin Sanders  
Cindy Nickell-Hutchins  
Howard Barnes  
Robin Johnson  
Pam Crain  
Konstance Mitchell

**Employer**

Ark Ramos  
Big Four Foundries  
Farm Fresh Inc  
Hale Halsell  
JP Emco  
Passmore  
Thornapple Valley  
Thornapple Valley  
Southwestern Bell

- (A) Vote to enter executive session.  
(B) Discussion in executive session.  
(C) Vote to return to open session.  
(D) Possible vote regarding any actions on any case discussed in Executive Session.

12. Discussion and possible action regarding minutes of executive sessions.

13. Comments from Board Members.

14. Adjournment